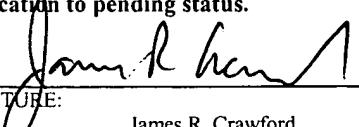


JC10 Rec'd PCT/PTO - 19 JUL 2005

FORM PTO 1390 (REV 11-2000)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER HUBR-1271
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/509,586
INTERNATIONAL APPLICATION NO. PCT/EP03/03501	INTERNATIONAL FILING DATES April 3, 2003	PRIORITY DATE CLAIMED
USE OF CREATINE PYRUVATE FOR INCREASING STAMINA DURING HIGHLY INTENSIVE INTERMITTENT PHYSICAL EXERTION		
APPLICANT(S) FOR DO/EO/US Jager, et al.		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information X</p> <ul style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing 35 U.S.C. 371 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).(unsigned) 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ul style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. 14. <input checked="" type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information 		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/509,586	PCT/EP03/03427	DNAG-290
17. <input type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)):		
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO And International Search Report not prepared by the EPO or JPO \$1040.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report will be prepared by the EPO or JPO \$900.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO		
ENTER APPROPRIATE BASIC FEE AMOUNT =		
Surcharge of \$ _____ for furnishing the oath or declaration later than		
<input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).		
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	20 =	
Independent claims	1-3 =	0 X
MULTIPLE DEPENDENT CLAIM(s) (if applicable)		
TOTAL OF ABOVE CALCULATIONS =		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above Are reduced by ½.		
SUBTOTAL =		
Processing fee of \$ _____ For furnishing the English translation later than		
<input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). +		
TOTAL NATIONAL FEE =		
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). Assignment Must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) + \$ (Per property).		
TOTAL FEES ENCLOSED =		
		Amount to be Refunded: \$
		Charged: \$
<input type="checkbox"/> A check in the amount of \$ _____		
b. <input type="checkbox"/> Please charge my Deposit Account No. 50-0624 in the amount of \$ _____ To cover the above fees. A duplicate copy of this sheet is enclosed.		
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required or credit Any overpayment to my Deposit Account No. 50-0624. A duplicate copy of this sheet is enclosed.		
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.		
SEND ALL CORRESPONDENCE TO: Customer No. 24972 (212) 318-3000 FULBRIGHT & JAWORSKI L.L.P. 666 Fifth Avenue New York, New York 10103 Customer No. 24972		
SIGNATURE:  James R. Crawford NAME: _____		
39,155		

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19 JUL 2005

Certificate of Express Mail

This mail is being sent by Express Mail No. EV 331562361 US
In an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450
On July 19, 2005

By Eileen Sheffield

Eileen Sheffield

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19 JUL 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/509,586	Klaus-Dieter Nittel	DNAG-290
		INTERNATIONAL APPLICATION NO.
		PCT/EP03/03427
24972	LA. FILING DATE	PRIORITY DATE
FULBRIGHT & JAWORSKI, LLP	04/02/2003	04/04/2002
666 FIFTH AVE		
NEW YORK, NY 10103-3198		
CONFIRMATION NO. 2531		
371 FORMALITIES LETTER		
OC000000016290181		

Date Mailed: 06/22/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/29/2004
- Copy of the International Search Report filed on 09/29/2004
- Preliminary Amendments filed on 09/29/2004
- Information Disclosure Statements filed on 09/29/2004
- Request for Immediate Examination filed on 09/29/2004
- U.S. Basic National Fees filed on 09/29/2004
- Priority Documents filed on 09/29/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

A copy of this notice *MUST* be returned with the response.

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/509,586	PCT/EP03/03427	DNAG-290

FORM PCT/DO/EO/905 (371 Formalities Notice)